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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 Maria Elena Garcia et al., No. 1:21-cv-00482-KJM-EPG

12 Plaintiffs, ORDER

13 v.

14 City of Farmersville et al.,

15 Defendants.

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17 In a previous order, the court directed the parties to meet and confer and file a joint status report on the effect of the bankruptcy proceedings within the Bankruptcy Court for the Southern District of Texas. Min. Order (Mar. 7, 2025), ECF No. 199. The parties' joint status report indicates the Bankruptcy Court issued an order modifying the automatic stay on February 24, 2025. Report at 1, ECF No. 200; Notice Ruling, ECF No. 198. The Bankruptcy Court's order lifted the automatic stay imposed by section 362(a) of the Bankruptcy Code and thus allows the parties to proceed as to claims 2, 5, 6, 8, and 9. Notice Ruling ¶ 1. The parties agree the automatic stay does not extend to claims against the City of Farmersville (Farmersville) or the City of Visalia (Visalia). *Id.* ¶ 2. The automatic stay otherwise remains in effect. *Id.* ¶ 3.

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In the joint status report, the parties explain "the Farmersville Defendants are unclear whether the scope of the stay as to the Wellpath Defendants raises logistical problems for trial. Farmersville would seek clarification from the Court and/or Wellpath's counsel." Report ¶ 5.

1 Farmersville's lack of clarity about the position of Wellpath suggests a failure to engage in a
2 meaningful meet and confer process with all parties under this District's local rules and the
3 court's standing order. The parties to the matter previously failed to meet and confer on other
4 issues, including the dismissal of Visalia, and the court has reminded the parties of these duties
5 before. Order (Dec. 12, 2024), ECF No. 194. In light of the parties' joint status report and
6 continued lack of clarity about their ability to proceed to trial, the court orders all parties to **meet**
7 **and confer** to discuss the impact of the bankruptcy proceedings in this case and **file a joint**
8 **report** to the court within **30 days** of the filed date of this order.

9 Finally, to the extent the Bankruptcy Court's order permits defendants to renew a motion
10 for dismissal, the parties are again reminded they must comply with this District's local rules,
11 including Rule 230 and this court's standing orders. Specifically, Visalia's petitions requesting a
12 declaration from this court that plaintiffs' claims against it have been dismissed with prejudice,
13 ECF Nos. 191 & 196, were defective for failure to meet and confer and for failing to provide
14 proper notice of an available law and motion date before the undersigned. The court reiterates
15 that future failures to comply with local rules or the standing order of this court may result in
16 sanctions, monetary or otherwise.

17 Accordingly, IT IS HEREBY ORDERED as follows:

18 1. All parties are ordered to **meet and confer** and discuss the impact of the Bankruptcy
19 Court's order on this case and **file a joint report** to the court within **30 days** of the
20 filing date of this order.

21 2. The court **denies** Visalia's petition for a declaration from this court that plaintiffs'
22 claims against it have been dismissed with prejudice. ECF No. 196. Any renewed
23 motion must comply with this District's Local Rules, including Rule 230 and this
24 court's standing orders. Available dates can be found on Senior District Judge
25 Kimberly J. Mueller's homepage of the court's website.

26 This order resolves ECF No. 196.

27 IT IS SO ORDERED.

28 DATED: April 14, 2025.



UNITED STATES DISTRICT JUDGE